

Mailing address:
101 East 15th Street, Room 144T
Austin, TX 78778-0001
www.twc.state.tx.us



(512) 463-2642 Main
(512) 463-2643 Fax
(888) 452-4778 Toll Free

**Texas Workforce Commission
Civil Rights Division**

10/19/2010

NOTICE OF RIGHT TO FILE A CIVIL ACTION

Rodolfo Rosales
c/o Adam Poncio
Poncio Law Offices
5410 Fredericksburg Road, Suite 109
San Antonio, TX 78229-3550

Re: *Rodolfo Rosales v. University of Texas at San Antonio*
EEOC Complaint # 451-2010-01412
CRD/Local Commission Complaint #

The above-referenced case was processed by the United States Equal Employment Opportunity Commission or a local agency. Pursuant to Sections 21.252 and 21.254 of the Texas Labor Code, This notice is to advise you of your right to bring a private civil action in state court in the above-referenced case. YOU HAVE SIXTY (60) DAYS FROM THE RECEIPT OF THIS NOTICE TO FILE THIS CIVIL ACTION.

If your case has been successfully resolved by the U. S. Equal Employment Opportunity Commission or another agency through a voluntary settlement or conciliation agreement, you may be prohibited by the terms of such an agreement from filing a private civil action in state court pursuant to the Texas Commission on Human Rights Act, as amended.

The United States Supreme Court has held in *Kremer v. Chemical Construction Corporation*, 456 U.S. 461 (1982), that a federal district court must generally dismiss a Title VII action involving the same parties and raising the same issues as those raised in a prior state court action under Chapter 21 of the Texas Labor Code. Therefore, filing a lawsuit in state court based on the issuance of this notice of right to file a civil action may prevent you from filing a lawsuit in federal court based on Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e - et seq.

Sincerely,

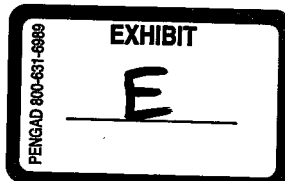
A handwritten signature in black ink, appearing to read "Tony Robertson", is written over a horizontal line.

Tony Robertson
Manager Team II

RETAIN ENVELOPE TO VERIFY DATE RECEIVED

Copy to:

University of Texas at San Antonio
John P. Danner
Office of Legal Affairs
One UTSA Circle
San Antonio, TX 78249



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